

**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

OLA ALI,
6651 Brock St.
Dublin, OH 43017

Plaintiff,

CASE NO. _____

-vs-

JUDGE _____

COLUMBUS STATE COMMUNITY
COLLEGE,
550 E. Spring St.
Columbus, OH 43215

Defendant.

NOTICE OF REMOVAL

Pursuant to 28 U.S.C. §§ 1441 and 1446, Defendant Columbus State Community College hereby gives notice of the removal of this action from the Court of Common Pleas, Franklin County, Ohio, Case No. 23CV000475 to the United States District Court for the Southern District of Ohio, Eastern Division, on the following facts:

1. This action was commenced in the Court of Common Pleas, Franklin County, Ohio, on January 23, 2023, captioned as *Ola Ali v. Columbus State Community College*, Case No. 23CV000475. This Complaint is the only pleading filed in the Franklin County Court of Common Pleas in this action. A copy of the Complaint is attached hereto as Exhibit A.

2. Defendant Columbus State Community College was served with a Summons and a copy of the Complaint via certified mail in the State Court Action on January 30, 2023. A copy of the Summons and Certified Mail Receipt are attached hereto as Exhibit B.

3. Plaintiff alleges that Defendant discriminated against her on the basis of her race, religion and national origin, and retaliated against her when it rejected her application for tenure

and terminated her employment in violation of Title VII. Plaintiff originally also brought both state law and ADEA claims, but dismissed those claims on February 23, 2023, leaving only her Title VII claims. A copy of the Notice of Dismissal is attached hereto as Exhibit C.

4. This action is a civil action of which this Court has original jurisdiction because Plaintiff's Complaint raises claims within the federal question jurisdiction of this Court under 28 U.S.C. § 1331, specifically her claims under Title VII.

5. This action may be removed to and adjudicated by this Court, pursuant to 28 U.S.C. §§ 1441 and 1446, because this civil action arises under the laws of the United States.

6. This Notice of Removal is filed and subject to and with full reservation of rights, including, but not limited to, defenses and objections to venue, improper service of process, sovereign immunity, and personal jurisdiction. No admission of act, law or liability is intended by this Notice of Removal, and all defenses, motions and pleas are expressly removed.

7. This Notice of Removal was filed within 30 days of Defendant's receipt of a copy of the Summons and Complaint.

8. As required by 28 U.S.C. § 1446(d), a Notice of Filing of Removal directed to the state court, the Franklin County Court of Common Pleas, along with this Notice of Removal, will be promptly filed in the Court of Common Pleas, Franklin County, Ohio. A true and accurate copy of Defendant's Notice of Filing of Notice of Removal Directed to State Court is attached hereto as Exhibit D.

WHEREFORE, Defendant Columbus State Community College respectfully requests that this matter be removed to the Southern District of Ohio, Eastern Division, and that all proceedings herein be conducted in the United States District Court for the Southern District of Ohio, Eastern Division.

Respectfully submitted,

DAVE YOST (0056290)
Ohio Attorney General

/s/ Wendy K. Clary

WENDY K. CLARY (0077775)
Trial Counsel
Principal Assistant Attorney General
Employment Law Section
30 East Broad Street, 16th Floor
Columbus, Ohio 43215
(614) 644-7257 – Telephone
(614) 752-4677 – Facsimile
elsreview@OhioAGO.gov

*Counsel for Defendant Columbus State
Community College*

CERTIFICATE OF SERVICE

This will certify that the foregoing *Notice of Removal* was filed electronically on February 27, 2023. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system. In addition, the foregoing was served upon counsel for the Plaintiff, Matthew G. Bruce and Evan R. McFarland, Spitz, The Employees Law Firm, Spectrum Office Tower, 11260 Chester Road, Suite 825, Cincinnati, Ohio 45246; by regular U.S. Mail this 27th day of February 2023.

/s/ Wendy K. Clary

WENDY K. CLARY (0077775)
Trial Counsel
Principal Assistant Attorney General